

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 1-16, 18-21, and 23-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Natarajan et al. (USPN 6,505,244) (hereinafter “Natarajan”) in view of Shanumgam et al. (USPN 6,708,187) (hereinafter “Shanumgam”).

As amended, **Claim 1** of the present application recites:

A method comprising:
assigning a plurality of devices to a group;
assigning at least one event-handling policy to the group, wherein the assigned policy is associated with each of the plurality of devices in the group; and
evaluating a current state of each device in the group before the assigned policy is applied to the device.

Applicant submits that Natarajan in view of Shanumgam fails to disclose or suggest, alone or in combination, the elements of claim 1. In particular, the references do not disclose or suggest “evaluating a current state of each device in the group before the assigned policy is applied to the device”, as recited in claim 1. The Office Action argues (page 9, paragraph 22):

Natarajan discloses evaluating (col 31, lines 40-45, evaluate the effectiveness of the policy) a current state of each device (figure 17, element 1718, col 31, lines 36-40, current state is related to number of

packets dropped at each links, col 32, lines 35-39, used to tune network device) before the assigned policy (figure 17, element 1728, col 31, lines 45-56, determination of the effectiveness of the policy is done by evaluating and re-evaluating the CIR policy further col 32, lines 1-5, teaches how it is implemented) is applied to the device (figure 17, col 31, lines 35-67, col 32, lines 1-5, action is taken to modify the policy, modifying includes the step of assigning).

Applicant respectfully disagrees with this argument. Figure 17 is a flow diagram illustrating how the feedback-based network adapts to changing conditions resulting from a video conference. (See Natarajan, col. 29, line 60 to col. 32, lines 55). In figure 17, the method in Natarajan includes the evaluation of a CIR (committed information rate) policy at 1718. "The effectiveness of the frame relay CIR policy is measured by analyzing the number of packets dropped at each of the respective links..." (Natarajan, col. 31, lines 37-39).

The Office Action argues that "evaluating a current state of each device" is taught by figure 17, element 1718, col 31, lines 36-40 of Natarajan, where the current state is related to number of packets dropped at each link. In describing figure 17, Natarajan discloses:

In the CIR policy monitor procedure of FIG. 17, the quality monitor system 1662 (FIG. 16) may concurrently and continuously monitor the effectiveness of the frame relay CIR policy implemented by the policy engine. In the example of FIG. 17, the effectiveness of the frame relay CIR policy is measured by analyzing the number of packets dropped at each of the respective links A, B, C, D, and comparing this data to predetermined criteria or guidelines. Thus, for example, at 1718, the reported number of packets dropped for links A, B, C, D are analyzed and compared to a predetermined threshold in order to evaluate the effectiveness of the frame relay CIR policy implemented by the policy engine. (Col. 31, lines 35-47).

The Office Action attempts to equate evaluating the effectiveness of a policy as described in Natarajan with “evaluating a current state of each device in the group”, as recited in claim 1. Applicant submits that these are two different functions. The portion of Natarajan cited by the Office Action makes no mention of evaluating a state of each device in the group. Natarajan doesn’t evaluate the state of any device. Instead, Natarajan discloses the effectiveness of a policy relating to network conditions by analyzing the number of packets dropped on various links. Thus, no device is evaluated in Natarajan and no state information is obtained in Natarajan. Natarajan merely looks at an operating parameter (the number of dropped packets) associated with network conditions. Thus, the disclosure of Natarajan differs from the recitation in claim 1. Applicant submits that the Natarajan references does not teach or suggest “evaluating a current state of each device in the group”, as recited in claim 1.

The Office Action also argues that it would have been obvious to combine the teachings of Natarajan and Shanumgam. For support, the Office Action states: “[t]he motivation would have been to have a unified policy management system with a remotely situated policy enforcers.” (Office Action, page 3). However, this is merely an excerpt from the Abstract of Shanumgam describing that reference and does not indicate any suggestion or motivation to combine the teachings. “Particular findings must be made as to the *reason* the skilled artisan, *with no knowledge of the claimed invention*, would have selected these components for combination in the manner claimed.” (*In re Kotzab*, 217 F.3d 1365, 1371, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000)). Therefore, the Office Action has failed to present a convincing line of reasoning, as required by 35

U.S.C. § 132 (see also MPEP 706.02(j)), explaining why it would have been obvious to combine the teachings of Natarajan and Shanumgam.

For at least the reasons stated above, Applicant respectfully submits that the Office Action has not established a *prima facie* case of obviousness. Therefore, Applicant submits that claim 1 is allowable. Given that claims 2-9 depend from claim 1, those claims are also allowable for at least the same reasons.

Additionally, regarding Claim 3, Applicant respectfully submits that the excerpts of Natarajan cited on pages 10-11, paragraph 23 (citing Natarajan figure 5C, element 254, and column 14, lines 5-20) describe policy engine 254 and give examples thereof. These excerpts do not disclose “determining whether a particular device is currently a member of the group”.

The Office Action further cites column 14 (lines 33-35), column 31 (lines 35-67) and column 32 (lines 1-5), which discuss the overall architecture of the policy engine but does not disclose “applying the assigned policy to the particular device if the particular device is currently a member of the group.” Column 31, line 35 through column 32, line 5 of Natarajan disclose determining when to re-evaluate the current CIR policy. However, the cited portions of Natarajan fail to make any mention of a group or determining whether a particular device is currently a member of the group.

The Office Action then provides a brief description of LDAP. (See pages 10-11, paragraph 23). According to the Office Action, LDAP is a software protocol for locating resources in a network. The Office Action does not provide a citation for the information presented. Further, the Office Action does not apply the discussion of LDAP to the claims of the present invention. Applicant submits

that the Office Action's discussion of LDAP does not disclose a group to which a plurality of devices and at least one event-handling policy have been assigned (See claim 1, from which claim 3 depends).

Accordingly, Applicant submits that claim 3 is further allowable for these additional reasons.

As amended, **Claim 10** recites:

An apparatus comprising:
a group of devices having an associated event-handling policy;
an event log configured to store event data;
a management module coupled to the group of devices and the event log,
wherein a current state of each device in the group of devices is evaluated by the management module before the event-handling policy is applied to the device; and
wherein the management module determines whether a particular device is currently a member of the group before the event-handling policy is applied to the device.

The Office Action rejects claim 10 based on reasons similar to those used in rejecting claim 1. Additionally, the Office argues that Natarajan discloses a management module "wherein a current state of each device in the group of devices is evaluated by the management module before the event-handling policy is applied to the device", as recited in claim 10. The Office Action again attempts to equate the discussion of the number of packets dropped in Natarajan with "a current state of each device in the group of devices is evaluated by the management module before the event-handling policy is applied to the device", as contained in claim 10. As discussed above with respect to claim 1, Natarajan

doesn't evaluate the state of any device. Instead, Natarajan discloses evaluating the effectiveness of a policy relating to network conditions by analyzing the number of packets dropped on various links. Since no device is evaluated in Natarajan and no state information is obtained from devices in Natarajan, the reference fails to disclose or suggest the cited portion of claim 10.

Furthermore, claim 10 recites "the management module determines whether a particular device is currently a member of the group before the event-handling policy is applied to the device". The Office Action argues that col 19, lines 1-47 and col 32, lines 1-5 of Natarajan disclose this portion of claim 10. Applicant respectfully disagrees. Col 19, lines 1-47 of Natarajan refer to the term "network element" as any hardware or software component of the described invention. It then states that each may be initialized using existing control parameters and then event registration is initiated for the various network elements via the event handler associated with each element. However, nothing discloses or suggests (explicitly or implicitly) that during this registration process "the management module determines whether a particular device is currently a member of the group before the event-handling policy is applied to the device", as recited in claim 10.

Further, col 32, lines 1-5 of Natarajan discuss how long the policy engine is allowed to execute before modifying the policy. This portion of Natarajan does not make any reference to a management module that "determines whether a particular device is currently a member of the group before the event-handling policy is applied to the device", as recited in claim 10.

Finally, as discussed above, the Office Action has failed to present a convincing line of reasoning explaining why it would have been obvious to combine the teachings of Natarajan and Shanumgam.

For at least the reasons stated above, Applicant respectfully submits that the Office Action has not established a *prima facie* case of obviousness. Hence, for at least these reasons, Applicant submits that claim 10 is allowable.

Given that claims 11-16 depend from claim 10, those claims are also allowable for at least the same reasons.

Additionally, regarding **Claim 14**, Applicant submits that the cited excerpts of Natarajan (figure 2, element 254, and column 10, lines 40-50) discuss monitoring specific network elements and reporting of specified events by the event handler. However, the cited portions of Natarajan do not disclose “the types of events that are provided to each device”. Accordingly, Applicant submits that claim 14 is further allowable for this additional reason.

Claim 18 recites:

One or more computer-readable media having stored thereon a computer program that, when executed by one or more processors, performs the process of:

- assigning a plurality of devices to a group;
- identifying an event-handling policy associated with the group of devices, wherein the event-handling policy defines how devices are configured;
- assigning the event-handling policy to the group of devices; and
- evaluating a current state of each device before the assigned event-handling policy is applied to the device.

The Office Action states that claim 18 is rejected for the same reasons as claim 1. Additionally, the Office Action argues that Natarajan discloses “identifying at least one event-handling policy (added, figure 2 element 254, col 14, lines 33-35) associated with the group of devices (module, figure 5C, element 254, col 14, lines 51-52) wherein the event-handling policy defines how devices are configured.” (Office Action, page 5, paragraph 5). Applicant respectfully disagrees and submits that Fig. 5C, element 254 illustrates a policy engine. Column 14 (lines 51-52) of Natarajan state “Each application specific plug-in policy module may include one or more policies.” Applicant fails to see how this teaches or suggests identifying an event-handling policy “associated with the group of devices wherein the event-handling policy defines how devices are configured”, as recited in claim 18. Applicant respectfully submits that the Office Action has not adequately explained the pertinence of this reference as required by MPEP 707.05 (“When such prior art is cited, its pertinence should be explained.”).

In addition, as discussed above, the excerpt cited by the Office Action discloses evaluating the effectiveness of a policy relating to network conditions, not “evaluating a current state of each device before the assigned policy is applied to the device”. Furthermore, the Office Action has failed to present a convincing line of reasoning explaining why it would have been obvious to combine the teachings of Natarajan and Shanumgam.

For the reasons stated above, Applicant respectfully submits that the Office Action has not established a *prima facie* case of obviousness. Hence, for at least these reasons, claim 18 is allowable.

Given that claims 19 and 20 depend from claim 18, those claims are also allowable for at least the same reasons.

As amended, **Claim 21** recites:

A computer-implemented method comprising:
determining states of systems in an enterprise;
assigning the systems to groups based on rules associated with the groups and the states of the systems;
assigning policies to at least one particular group;
reevaluating the states of each system in the particular group;
if the states are valid according to the rules associated with the particular group, applying the policies to the systems in the particular group.
if the states of a particular system in the particular group are not valid,
updating the particular group to delete the particular system; and
applying the policies to the systems in the updated group.

The Office Action states that claim 21 is rejected for the same reasons as claim 1. Additionally, the Office Action argues that “Natarajan discloses if the states of a particular system in the particular group is not valid (decision tree, col 14, lines 33-50), updating the particular group to delete the particular system (added or deleted, col 14, lines 33-50); and applying the policies to the systems in the updated group (added or deleted, col 14, lines 33-50.” (Office Action, page 8, paragraph 17). Applicant respectfully disagrees and submits that the Office Action has mischaracterized this excerpt of Natarajan. Specifically, the “adding” and “deleting” disclosed in the cited excerpt involves the addition or deletion of specific plug-in policies to the system (see column 14, lines 33-35), not “updating the particular group to delete the particular system” and “applying the policies to the systems in the updated group.”

In addition, as discussed above, the Office has failed to present a convincing line of reasoning explaining why it would have been obvious to combine the teachings of Natarajan and Shanumgam.

For the reasons stated above, Applicant respectfully submits that the Office Action has not established a *prima facie* case of obviousness. Hence, for at least these reasons, this Applicant submits that claim 21 is allowable.

Given that claims 23 and 24 depend from claim 21, those claims are also allowable for at least the same reasons.

Conclusion

Claims 1-16, 18-21, and 23-24 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

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